

# INTERNATIONAL SEARCH REPORT

International Application No. 6/2003  
PCT/JP 03/11377

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6 268 142 B1 (DUFF GORDON W ET AL) 31 July 2001 (2001-07-31)  column 8 - column 9 column 24 - column 25; claim 1 -----	1-9, 20-26, 34-36, 38-44, 47-50, 52-59
A	WO 98/15653 A (RICHARDSON ROBERT ;DUFF GORDON (GB); RENNIE IAN (GB)) 16 April 1998 (1998-04-16)  page 7, line 29 - page 8, line 3; claims 1,4 ----- -/--	1-9, 20-26, 34-36, 38-44, 47-50, 52-59

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### ° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

20 January 2004

Date of mailing of the international search report

05. 04 2004

Name and mailing address of the ISA

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## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP 03/11377

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EBNOETHER M ET AL: "Cerebral oedema as a possible complication of treatment with imatinib" LANCET, XX, XX, vol. 359, no. 9319, 18 May 2002 (2002-05-18), pages 1751-1752, XP004359771 ISSN: 0140-6736 cited in the application the whole document	1-9, 20-26, 34-36, 38-44, 47-50, 52,59
A	----- YEOH E-J ET AL: "Classification, subtype discovery, and prediction of outcome in pediatric acute lymphoblastic leukemia by gene expression profiling" CANCER CELL, XX, US, vol. 1, no. 2, March 2002 (2002-03), pages 133-143, XP002253604 ISSN: 1535-6108 page 134, left-hand column	1-9, 20-26, 34-36, 38-44, 47-50, 52,59
X,P	----- MCLLEAN L A ET AL: "PREDICTION OF EDEMA USING PHARMACOGENOMIC ANALYSIS IN A CLINICAL TRIAL OF CML PATIENTS TREATED WITH GLEEVECTM/GLIVEC" AMERICAN JOURNAL OF HUMAN GENETICS, AMERICAN SOCIETY OF HUMAN GENETICS, CHICAGO, IL, US, vol. 71, no. 4, SUPPL, 15 October 2002 (2002-10-15), page 244, XP009016667 ISSN: 0002-9297 the whole document -----	1-9, 20-26, 34-36, 38-44, 47-50, 52,59

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International application No.  
PCT/EP 03/11377

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 25  
because they relate to subject matter not required to be searched by this Authority, namely:  
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:  
Claims 1-9, 20-24, 34-36, 43, 44, 47-50, 58, 59, 61 completely, claims 25, 26, 38-42, 52-57, partially

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

International Application No. PCT/ EP 03/ 11377

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Claims Nos.: 25

Rule 39.1(iv) PCT - Method for treatment of the human or animal body by therapy

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: Claims 1-9, 20-24, 34-36, 43, 44, 47-50, 58, 59, 61 completely, claims 25, 26, 38-42, 52-57, partially

A method to predict which patient will be more likely to develop edema when treated with a drug comprising:  
determining RNA expression levels for a plurality of the 13 genes from Table 2. Method to treat a patient, method to design clinical trials comprising determining expression profiles. A kit for predicting development of edema using expression patterns from a plurality of the 13 genes from Table 2.

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2. claims: Claims 10-19, 27-33, 37, 45, 46, 51, 60, 62-75 completely, claims 25, 26, 38-42, 52-57, partially

A method to predict likeliness to develop edema when treated with a drug, comprising determining polymorphic sites in IL-1beta. A method of treating a subject having, or at risk of having edema. A kit comprising means for determining the level of the protein expressed by or the level of transcription by the IL-1beta gene. A kit for the identification of a polymorphism pattern at the IL-1beta gene.

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# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 03/11377

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 6268142	B1	31-07-2001	
		AU 755107 B2	05-12-2002
		AU 7539898 A	30-12-1998
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		CA 2291731 A1	03-12-1998
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		DK 950113 T3	27-01-2003
		EP 0950113 A1	20-10-1999
		ES 2186926 T3	16-05-2003
		WO 9815653 A1	16-04-1998
		IL 129390 A	23-05-2002
		ZA 9709071 A	08-07-1998